

Amended Claims for Case 2961 Office Action Due 10<sup>th</sup> May 2004

1. (Currently Amended) A gear oil or transmission fluid composition comprising a major amount of a lubricant basestock and at least one functional additive wherein the lubricant basestock comprises a major amount of ~~the lubricant basestock comprises~~ a mineral oil having a viscosity index of 120 or more, an iodine number of less than 9, a sulphur content of 0.004% by weight to less than 0.5% by weight, and comprising about 95% to 100% by weight saturates wherein at least about 55% of the saturates are aliphatic saturates and at least one polymer wherein the polymer is selected from the group consisting of ~~a polyalkene or derivative thereof, an ethylene-alpha olefin copolymer, an ethylene-propylene polymer, an alpha olefin-unsaturated carboxylic reagent copolymer, a hydrogenated interpolymers of an alkenylarene and a conjugated diene, and mixtures thereof;~~ and the functional additive comprising comprises a sulfurized olefin, or a salt derived from ammonia or an amine and a phosphorus acid ester, or a mixture thereof.

2. (Canceled) ~~The composition of claim 1 wherein the mineral oil is greater than 80% by weight of the basestock.~~

3. (Previously Presented) The composition of claim 1 [further comprising at least one polymer] wherein the polymer is a polyalkene or derivatives thereof.

4. (Original) The composition of claim 3 wherein the polymer has a weight average molecular weight of less than about 50,000.

5. (Original) The composition of claim 3 further comprising at least one fluidizing agent.

6. (Original) The composition of claim 5 wherein the fluidizing agent is present in an amount of up to about 30% by weight.

7. (Previously Presented) The composition of claim 1 wherein the functional additive is a antiwear or extreme pressure agent.

8. (Previously Presented) The composition of claim 7 wherein the

antiwear or extreme pressure agent is at least one sulfur compound, at least one phosphorus containing compound, at least one boron containing compound or mixtures of two or more thereof.

9. (Previously Presented) The composition of claim 8 wherein the antiwear or extreme pressure agent is metal or ashless dithiocarbamate.

10. (Original) The composition of claim 8 wherein the sulfur antiwear extreme pressure agent is an organic polysulfide.

11. (Currently Amended) The composition of claim 8 wherein the antiwear or extreme pressure agent is at least one phosphoric acid ester or salt thereof, ~~at least one metal dithiophosphate~~, at least one reaction product of a phosphite and sulfur or a source of sulfur, at least one phosphite, at least one reaction product of a phosphorus acid or anhydride and an unsaturated compound, or mixtures of two or more thereof.

12. (Previously Presented) The composition of claim 11 wherein the antiwear or extreme pressure agent is at least one phosphorus acid ester, at least one reaction product of a phosphite in a sulfur or a source of sulfur or mixtures of two or more thereof.

13. (Previously Presented) The composition of claim 7 wherein the antiwear extreme pressure agent is a boron compound.

14. (Previously Presented) The composition of claim 1 wherein the composition further comprises at least one antioxidant.

15. (Previously Presented) The composition of claim 14 wherein the antioxidant is at least one amine antioxidant, at least one phenol antioxidant, at least one dithiophosphoric acid ester antioxidant, phosphite antioxidants, sulfurized Diels-Alder adducts and mixtures thereof.

16. (Previously Presented) The composition of claim 15 wherein the antioxidant is at least one amine antioxidant, at least one dithiocarbamate antioxidant, and at least one phenol antioxidant.

17. (Currently Amended) A gear oil composition comprising at least one Group III basestock, at least one polymer having a weight average molecular weight of less than about 50,000 and the polymer is selected from the group

consisting of a polyalkene or derivative thereof, an ethylene-alpha olefin copolymer, an ethylene-propylene polymer, an alpha olefin-unsaturated carboxylic reagent copolymer, a hydrogenated interpolymers of an alkenylarene and a conjugated diene, and mixtures thereof, at least one fluidizing agent, and at least one functional additive, the Group III basestock comprising a major amount of a mineral oil having a viscosity index of 120 or more, an iodine number of less than 9, a sulfur content of 0.004 % by weight to less than 0.5% by weight, and a saturates concentration of about 98% to about 100% by weight wherein at least about 55% by weight of the saturates are aliphatic saturates; the functional additive comprising a sulfurized olefin, or a salt derived from ammonia or an amine and a phosphorus acid ester, or a mixture thereof.

18. (Previously Presented) The composition of claim 17 wherein the Group III basestock comprises greater than 80% by weight of the basestock of the composition.

19. (Currently Amended) A transmission fluid comprising at least one Group III basestock and at least one functional additive, wherein the Group III basestock comprises a major amount of a mineral oil having a viscosity index of 120 or more, an iodine number of less than 9, a sulfur content of 0.004 % by weight to less than 0.5% by weight, and a saturates concentration of about 98% to about 100% by weight wherein at least about 55% by weight of the saturates are aliphatic saturates and at least one polymer selected from the group consisting of a polyalkene or derivative thereof, an ethylene-alpha olefin copolymer, an ethylene-propylene polymer, an alpha olefin-unsaturated carboxylic reagent copolymer, a hydrogenated interpolymers of an alkenylarene and a conjugated diene, and mixtures thereof, and the functional additive comprises a sulfurized olefin, or a salt derived from ammonia or an amine and a phosphorus acid ester, or a mixture thereof.

20. (Currently Amended) A lubricant comprising a major amount of a mineral oil having an iodine number of less than 9, a viscosity index of 120 and a sulfur content of less than 0.5% and comprising at least 55% aliphatic saturates, at least one polymer selected from the group consisting of a polyalkene or derivative thereof, an ethylene-alpha olefin copolymer, an ethylene-propylene polymer, an alpha olefin-unsaturated carboxylic reagent copolymer, a ~~hydrogenated interpolymers of an alkenylarene and a conjugated diene~~, and mixtures thereof and gear oil or transmission fluid additives comprising a sulfurized olefin, or a salt derived from ammonia or an amine and a phosphorus acid ester, or a mixture thereof.

21. (Original) The composition of claim 20 wherein the mineral oil contains up to about 45% cyclic saturates.

22. (Original) The composition of claim 20 wherein aliphatic saturate content of the mineral oil is greater than 60%.

23. (Cancelled)

24. (Currently Amended) The composition of claim 1 wherein the ~~viscosity modifier~~ polymer is a polyalkene, a ~~polyacrylate~~, or a ~~polymethacrylate~~ or derivative thereof.

25. (Original) The composition of claim 20 further comprising an antioxidant in an amount greater than 1.5% by weight.

26. (Original) The composition of claim 25 wherein the antioxidant comprises aromatic substituted amines, hindered phenols, sulfur coupled phenols, aromatic phosphites, and alkylene coupled dithiocarbamates.

27. (Currently Amended) A gear oil or transmission fluid composition comprising a major amount of a basestock and a gear oil or transmission fluid concentrate wherein the basestock comprises a major amount of a mineral oil having iodine number of less than 9, a sulphur content of 0.004% by weight to less than 0.5% by weight, and comprising about 95% to 100% by weight saturates wherein at least about 55% of the saturates are aliphatic saturate[[:]] and ~~at least one polyalkene or derivative thereof~~; at least one polymer selected from the group consisting of an ethylene-alpha olefin copolymer, an ethylene-

propylene polymer, an alpha olefin-unsaturated carboxylic reagent copolymer, and mixtures thereof; and the gear oil or transmission fluid concentrate comprises a sulfurized olefin, or a salt derived from ammonia or an amine and a phosphorus acid ester, or a mixture thereof.